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13  
14 **UNITED STATES DISTRICT COURT FOR THE**  
15 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

16 CYNTHIA BROOKS and JACOB SWOYER  
17 on Behalf of Themselves and All Others  
18 Similarly Situated,

19 Plaintiffs,

20 vs.

21 U.S. BANK, N.A.

22 Defendant.  
23  
24  
25  
26  
27  
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CASE NO.: C12-4935 EMC

**~~PROPOSED~~ ORDER GRANTING  
FINAL JUDGMENT**

Date: June 12, 2014

Time: 1:30 p.m.

Crtm.: 5

Judge: Hon. Edward M. Chen

1 This matter was heard by the Court on June 12, 2014, at 1:30 p.m., in Courtroom 5, of  
2 United States District Court, Northern District of California, before the Honorable Edward M.  
3 Chen, pursuant to the noticed Motions for Final Approval of Class Action Settlement and for  
4 Award of Attorney's Fees and Reimbursement of Expenses.

5 Having considered the documents filed by the Parties in connection with the class action  
6 settlement, the oral arguments of counsel, as well as the comments and materials received from  
7 parties interested in the Settlement, including the Motion for Final Approval of Class Action  
8 Settlement, filed May 7, 2014, Docket Nos. 67-69; the Joint Stipulation of Settlement and Release  
9 of Claims ("Settlement Agreement"), a true and correct copy of which was filed on December 19,  
10 2013, Docket Number 50-1; the Motion for Preliminary Approval of Class Action Settlement,  
11 Docket Number 48; the Supplemental Briefs in Support of Preliminary Approval of Class Action  
12 Settlement, Docket Nos. 57-58; this Court's Order Granting Preliminary Approval of Class Action  
13 Settlement filed February 12, 2014, Docket Number 62; the Motion for Attorney's Fees and  
14 Reimbursement of Expenses, filed March 18, 2014, Docket No. 64; and the Reply Brief in Support  
15 of Final Approval of Class Action Settlement and Award of Attorney's Fees and Reimbursement of  
16 Expenses, the Court grants final approval of the Settlement and **HEREBY ORDERS AND**  
17 **MAKES THE FOLLOWING DETERMINATIONS:**

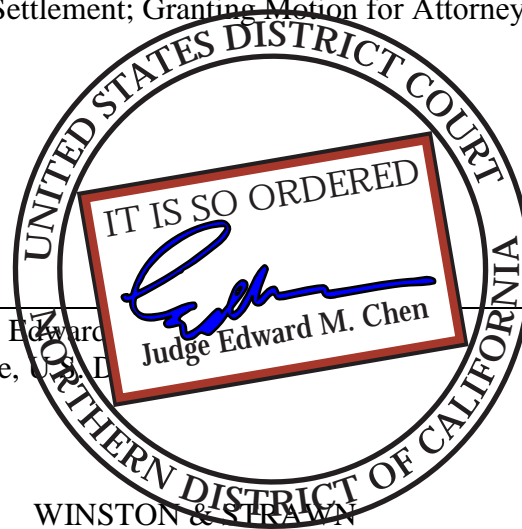
18  
19 1. The Court hereby enters final judgment in this case in accordance with the terms of  
20 the Settlement Agreement, the Order Granting Preliminary Approval, the Order Granting Final  
21 Approval of Class Action Settlement; Granting Motion for Attorney's Fees and Reimbursement of  
22 Expenses, and this Order Granting Final Judgment, subject to the Court's normal retention of  
23 jurisdiction to oversee the settlement.

24  
25 2. Neither this Final Judgment nor the Settlement shall constitute an admission by  
26 Defendant of any liability or wrongdoing whatsoever, nor is this Final Judgment a finding of the  
27 validity or invalidity of any claims in the action or a finding of wrongdoing by Defendant herein.  
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3. The Court dismisses all claims in this action with prejudice, with each Party bearing its own attorney's fees and costs, except as provided in the Settlement Agreement and the Order Granting Final Approval of Class Action Settlement; Granting Motion for Attorney's Fees and Reimbursement of Expenses.

Dated: June <sup>16</sup>, 2014

Hon. Edward  
Judge, U.S.D.



Approved as to form:

Date: May 29, 2014

/s/ Emilie C. Woodhead

Emilie C. Woodhead

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EMILY C. SCHUMAN  
EMILIE C. WOODHEAD  
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US BANK, N.A.